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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/703,962	10/31/2000	Eric A. Pulsipher	10008103-1	3416

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EXAMINER

NGUYEN, PHUOC H

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/703,962

Applicant(s)

PULSIPHER ET AL.

Examiner

Phuoc H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20 rejected under 35 U.S.C. 102(e) as being anticipated by Wood U.S. Patent 6,405,248.
3. Referring to claims 1,9, and 14, Wood reference discloses identifying singly heard host links (Figures 6a, and 6b; link between node G connected to port 1 of switch A; or link between node H connected to port 2 of switch B); and building tuples to represent an infrastructure connected to the singly heard host links (Abstract; Figures 6a,6b,9,10; col. 10, lines 25-56; and col. 12, lines 10-25).
4. Referring to claims 2,11, and 15, Wood reference discloses resolving conflicts among tuples (Figures 5, and 12; col. 9, lines 65 through col. 10, lines 19; and col. 17, lines 9-40); and removing (filtering) redundant neighbor information for connector-to-host links (col. 10, lines 20-23; and col. 17, lines 41 through col. 18, lines 23).
5. Referring to claims 3, and 16, Wood reference discloses identifying a single conflict link tuple having a host that is identified in an extra host link tuple determining whether the extra host

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link tuple and the single conflict link tuple have the same port specification for the host, and if the port specification is the same, classifying the single conflict link tuple as a singly heard host link tuple (Figures 5,10, and 12 and col. 12, lines 10-57).

6. Referring to claims 4, and 17, Wood reference discloses identifying a multi-heard host (Figures 2,5,12,21, and 22) link tuple having a host that is identified in an extra host link tuple, determining whether the extra host link tuple and the multi-heard host link tuple have a different port specification for the host, and if the port specification is different, classifying the multi-heard host link tuple as an extra host link tuple (Figures 5,10, and 12 and col. 12, lines 10-57).

7. Referring to claims 5,12, and 18, Wood reference discloses clarifying device connectivity by requesting additional information about nodal connections, and consolidating tuples for shared media devices (Abstract; and col. 7, lines 11-20 and 56-67).

8. Referring to claims 6,10, and 19, Wood reference discloses identifying conn-to-conn link tuples (Figures 1,3,4,6a,6b, and 7); identifying conn-to-host tuples (Figures 5,6a,6b,8); and if a tuple is a conn-to-host tuple hearing a first host on a first port, determining whether the connector hears any other hosts on the first port; and if the connector hears any other host on the first port, classifying the tuple as a multi heard host link tuple (Figures 2,5,10,12; and 21; col. 12, lines 10-57).

9. Referring to claims 7,13, and 20, Wood reference discloses creating tuples based on singly-heard host links (Figures 6a, and 6b); creating tuples based on conn-to-conn links using existing tuples (Figures 4, and 8); creating tuples based on conn-to-conn links using extra host links tuples (Figures 5, 8); and attempting to disprove invalid conn-to-conn links tuples (Figures 10, and 11; and Abstract).

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10. Referring to claim 8, Wood reference discloses a tuple manager that gathers data from the network nodes, and a connection calculator that builds tuples based on the data gathered by the tuple manager(Figures 9, and 10; and col. 11, lines 55 through col. 12, lines 34).

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wood U.S. Patent 6,108,702

Breitbart et al. U.S. Patent 6,697,338

Orr et al. U.S. Patent 5,727,157

Bullard U.S. Patent 6,625,657

Liver U.S. Patent 6,643,699

Pandya et al. U.S. Patent 6,671,724

Davis et al. U.S. Patent 6,295,558

Anstey et al. U.S. Patent 6,639,900

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 703-305-5315. The examiner can normally be reached on Mon -Thu (7AM-4:30PM) and off every other Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuoc H. Nguyen
Examiner
Art Unit 2143

March 5, 2004



DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100